

GOVERNMENT OF TELANGANA
ABSTRACT

RULES - REGISTRATION RULES - ADAPTATION - The Andhra Pradesh Registration Rules made under the Registration Act, 1908 – Adaptation to the State of Telangana – Notification - Orders – Issued.

REVENUE (REGISTRATION-I) DEPARTMENT

G.O.Ms.No. 121

Dated: 01-06-2016.

Read the following:-

1. The Andhra Pradesh Registration Rules made under the Registration Act, 1908 and published in the A.P. Gazettee Rules Supplement to Part II, dt. 24.12.1959.
2. The Andhra Pradesh Reorganisation Act, 2014 (Central Act No.6 of 2014).
3. Government Circular Memo.No.13665/SR/2014,GA(SR)Department, dt. 26/05/2014.
4. From the Commissioner & Inspector General of Registration and Stamps, Telangana State, Hyderabad, Lr.No.G1/4432/2015, dt.04.08.2015 .
5. From the Commissioner & Inspector General of Registration and Stamps, Telangana State, Hyderabad. Lr.No.G1/4432/2015, dt.29.02.2016.
6. From the Commissioner & Inspector General of Registration and Stamps, Telangana State, Hyderabad. Lr. No.G1/585/2016, dt.04.04.2016.
7. From the Commissioner & Inspector General of Registration and Stamps, Telangana State, Hyderabad. Lr. No.G1/4432/2015, dt.07.04.2016.

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ORDER:

Whereas by virtue of section 3 of the Andhra Pradesh Reorganization Act, 2014 (Central Act No.6 of 2014), the State of Telangana comprising the territories specified therein has been formed on and from the appointed day i.e., of 02.06.2014;

2. And whereas, in section 101 of the Andhra Pradesh Reorganization Act, 2014, a provision has been made for the purpose of facilitating the application of any law (as defined in section 2 (f) of the Act), made before the appointed day, in relation to the State of Andhra Pradesh or the State of Telangana, the appropriate Government may before expiration of two years from 02.06.2014, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority;

3. And whereas, it has become necessary to adapt and modify the Andhra Pradesh Registration Rules made under section 69 of the Registration Act, 1908 (Central Act No. 16 of 1908) and published in the Andhra Pradesh Gazette 1st read above, which are in force as on 01.06.2014; for the purpose of facilitating their application in relation to the State of Telangana.

4. Now therefore, after careful examination, Government have decided to adapt the said Andhra Pradesh Registration Rules made under the Registration Act, 1908 which are in force as on 01.06.2014;

[P.T.O]

5. Accordingly, the following Notification will be published in an Extra-ordinary issue of Telangana State Gazette, Dated:02-06-2016.

NOTIFICATION

In exercise of the powers conferred by section 101 of the Andhra Pradesh Registration Reorganization Act, 2014 (Central Act No.6 of 2014), the Government of Telangana hereby makes the following Order, namely:-

1. (1) This Order may be called the Andhra Pradesh Registration Rules made under the Registration Act, 1908 (Telangana Adaptation) Order, 2016.
(2) It shall be deemed to have come into force with effect from the 2nd June, 2014.
2. For the purpose of this Order and the rules adapted herein, the expression, "the State" shall have the meaning and areas specified in section 3 of the Andhra Pradesh Reorganisation Act, 2014;
3. In the Andhra Pradesh Registration Rules made under the Registration Act, 1908:-
 - (1) throughout the rules, for the words "Andhra Pradesh" or Andhra Pradesh occurring otherwise than in a citation or description in title of enactment the word "Telangana" shall be substituted.
 - (2) In rule 1:-
 - (i) after clause (d), the following clause shall be inserted namely;-
"(dd)" "Registration Office" means the office of the Registering Officer.;
 - (ii) in clause (e), the following shall be added at the end,-
"Sub-Registrar includes both a Sub Registrar and a Joint Sub Registrar.";
 - (iii) clauses (g), (h) and (i) shall be omitted.
 - (3) In rule 4, for the expression "3-30 P.M.", the words "prescribed working hours" shall be substituted.
- (4) After rule 6, the following rule shall be added, namely,-
"6-A. The Government may notify any or all Registrar or Sub-Registrar Offices so that they shall open on all days in the year, except for National Holidays. The provisions of Rule 3 to 6 shall not apply to such Offices."
- (5) For rule 16, the following rule shall be substituted, namely,-
"16. The following languages shall be deemed to be languages commonly used in the Districts and Sub-Districts named thereunder:-

I - English

II - Telugu

III -Urdu

IV -Hindi

All Registration Districts and Sub-Districts.

V - Marathi

Adilabad and Nizamabad Registration District.

VI - Kannada

Mahaboobnagar, Medak and Ranga Reddy Registration Districts

(6) In rule 26, in sub-rule (i),-

(i) after clause (j), the following proviso shall be inserted, namely,-

"Provided that the Government may dispense with, by an order, the testimony of identifying witnesses in the Registration Offices where the identification of parties is authenticated either through Unique Identification Authority of India (Aadhaar) system or any other system of identification."

(ii) for clause (k), the following, clause shall be substituted namely,-

"(k) That the Cancellation Deed of the previously registered deed of conveyance on sale of immovable property is executed by both the executing and the claiming parties thereof unless such Cancellation Deed is executed under the orders of a competent Court or under Rule 243."

(7) For rule 30 with the following Rule shall be substituted namely,-

30.(i) A document which relates to land shall, before it is accepted for registration, be checked with survey numbers and sub-division in the land records maintained in the Land Records Data Base Management System of the Department, in order that the registering officer may cause in correct or fictitious, numbers, entered in the document to be rectified.

(ii) The document shall not be accepted for registration and shall be returned for rectification with suitable endorsements, in the following circumstances:-

- (a) If the field is described in the document without any reference to any survey number;
- (b) If the survey number or sub-division entered in the document is not found in the Land records;
- (c) If the field is described in the document with reference to a survey number and sub-division if applicable, but the description is not sufficient to identify the property.

(8) in rule 63, after sub-rule(iii), the following proviso shall be added, namely,-

"Provided that the Government may order dispensing with the affixture of thumb impressions in the register in the form shown in Appendix-IV if the thumb impressions of the parties are obtained electronically using biometrics."

(9) rule 100-A shall be omitted.

(10) in rule 161, in sub-rule (i), after head XVI mentioned thereunder, the following head shall be added, namely,-

"XVII. Section 22-A.

That the document is one of such class of documents whose registration is prohibited."

(11) Chapter- XXXI-Licensing of Documents Writers and the rules 199 to 220 mentioned there under, shall be omitted.

(12) after rule 237, the following Chapter shall be added, namely,-

"CHAPTER XXXIII
(See Section 22-A)

238. District Collectors shall furnish lists of immovable properties falling under clauses (a) and (b) of sub-section (1) of section 22-A including any subsequent additions, deletions or modifications to the District Registrar concerned and to the Inspector-General of Registration under proper acknowledgement in Form I and II respectively of Appendix XI. The lists shall be signed by the District Collectors. Lists signed by any other officer shall not be considered.
- 239-A. After updating the entire record the Commissioner, Endowments, shall furnish lists of immovable properties falling under clause (c) of sub-section (1) of section 22-A including any subsequent additions, deletions or modifications to the District Registrar concerned and to the Inspector-General of Registration under proper acknowledgement in the Form V and VI of Appendix XI. The lists shall be signed by the Commissioner, Endowments. The registering authority can refuse registration of such a document covering the property belonging to any institution/endowment which is entered in the 'Register' maintained under the provisions of section 43 read with section 45 of the Endowments Act.
- 239-B. The Wakf Board shall maintain a Register of auqaf containing the particulars of all Wakf properties and all title deeds and documents relating thereto. Sub-section(2) of section 37 of Wakf Act, 1995 provides that the Board shall forward the details of properties entered in the Register of auqaf to the concerned land record office having jurisdiction of the wakf property. The concerned land record office, in turn, under sub-section (3) shall either make necessary entries in the land record or communicate within a period of six months from the date of registration of wakf property under Section 36, its objections to the Board. After completion of afore said process the Chief Executive Officer, Telangana, State Waqf Board shall update the entire records with the Revenue officials concerned, and he shall furnish lists of immovable properties falling under clause (c) of sub-section (1) of section 22-A including any subsequent additions, deletions or modifications to the District Registrar concerned and to the Inspector-General of Registration under proper acknowledgement in the Form V and VI of Appendix XI. The lists shall be signed by the Chief Executive Officer, Telangana State Waqf Board.
240. The District Collectors shall furnish list of land declared as surplus under the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 and the Urban Land (Ceiling and Regulation) Act, 1976 falling under clause (d) of sub-section (1) of Section 22-A including any subsequent additions, deletions or modifications to the District Registrar concerned and to the Inspector-General of Registration in Form III respectively of Appendix XI under proper acknowledgment. The lists shall be signed by the District Collector for the lands declared as surplus under the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973. The Special Officer and Competent Authority concerned shall sign the lists of lands declared as surplus under the Urban Land (Ceiling and Regulation) Act, 1976. Lists signed by any other officer shall not be considered.

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241. The District Collector shall furnish the list of properties to be notified or to be de-notified under section 22-A (1)(e) or section 22 (A)(4), as the case may be, to the Principal Secretary to Government, Revenue (Registration) Department, Telangana State for publication in the Gazette in Form IV of Appendix XI.
242. The Registering Officer shall refuse to register any document relating to a property which is included in the lists furnished under Rule 238, 239, 240 and in the lists notified by the Government under section 22-(A)(1)(e) or section 22-A(4).
243. The Authority/Officer competent may execute a document cancelling any previously registered document executed by unauthorized persons affecting the interest in immovable properties listed in section 22-A; and notwithstanding anything contained in the Act or these Rules, the Registering Officer shall register it."

(13) Appendix IX and Appendix X shall be deleted.

(14) After Appendix X, the following Appendix XI, shall be added namely;-
(H.E insert "Appendix XI and the Forms I-VI"

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

B.R.MEENA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Printing, Stationery and Stores Purchase,
Telangana, Hyd. (with a request to publish [200] copies of Gazettee.)
The Commissioner & Inspector General of Registration and Stamps,
Telangana State, Hyderabad.

Copy to:-

All District Collectors in Telangana State.
The Law (TLSP) Department, Telangana Secretariat, Hyderabad.
The Revenue (Assn.I) Department, Telangana Secretariat, Hyderabad.
SF/SC's.

// FORWARDED :: BY ORDER //

SECTION OFFICER

APPENDIX-XI (Rules 238 to 241)

FORM-I

PROFORMA FOR FURNISHING DETAILS OF **PROPERTIES UNDER SECTION 22-A(1)(a)** OF THE REGISTRATION ACT, 1908 FOR PROHIBITION

Sl.No.	Name of the District	Name of the Mandal	Name of the Village / Town	Sy. No. & Sub-Division No. (if any)	Town Survey No. (If applicable)	House No. (if applicable)	Name of the Assignee / Allotee / Owner	Extent	Act under which prohibited
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Note :- IN RESPECT OF APSALTR (1/70) THE PROHIBITION IS NOT APPLICABLE OF CERTAIN TRANSFERS. FORM-L WILL BE ISSUED IN RESPECT OF PERMISSIBLE TRANSFERS.

DISTRICT COLLECTOR

FORM-II

PROFORMA FOR FURNISHING DETAILS OF **PROPERTIES UNDER SECTION 22-A(1)(b)** OF THE REGISTRATION ACT, 1908 FOR PROHIBITION

Sl.No.	Name of the District	Name of the Mandal	Name of the Village / Town	Sy. No. & Sub-Division No. (if any)	Town Survey No. (If applicable)	House No. (if applicable)	Extent	State Government / Central Government
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

DISTRICT COLLECTOR

APPENDIX-XI (Rules 238 to 241)

FORM-III

PROFORMA FOR FURNISHING DETAILS OF **PROPERTIES UNDER SECTION 22-A(1)(d)** OF THE REGISTRATION ACT, 1908 FOR PROHIBITION

Sl.No.	Name of the District	Name of the Mandal	Name of the Village / Town	Sy. No. & Sub-Division No. (if any)	Town Survey No. (If applicable)	House No. (if applicable)	Extent	Act under which declared surplus UL (C&R/LR (COAH))	C.C.No.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

REVENUE DIVISIONAL OFFICER / S.O. (U.L.C)

FORM-IV

PROFORMA FOR FURNISHING DETAILS OF WAKFS **PROPERTIES UNDER SECTION 22-A(1)(C)** OF THE REGISTRATION ACT, 1908 FOR PROHIBITION

Sl.No.	Name of the District	Name of the Mandal	Name of the Village / Town	Sy. No. & Sub-Division No. (if any)	Town Survey No. (If applicable)	House No. (if applicable)	Extent	Name of the Institution / Waqf.	Sl.No. (in District entry) in Gazette Notification along with Gazette No. And date of Notification under Wakf Act, 1995.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

**CHIEF EXECUTIVE OFFICER,
TELANGANA STATE WAKF BOARD.**

FORM-V

PROFORMA FOR FURNISHING DETAILS OF ENDOWMENT **PROPERTIES UNDER SECTION 22-A(1)(C)** OF THE REGISTRATION ACT, 1908 FOR PROHIBITION

Sl.No.	Name of the District	Name of the Mandal	Name of the Village / Town	Sy. No. & Sub-Division No. (if any)	Town Survey No. (If applicable)	House No. (if applicable)	Extent	Name of the Institution / Endowment	Sl.No. of entry in Register Maintained u/s. 43 of Endowments act, 1987.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

**COMMISSIONER,
ENDOWMENTS**

FORM-VI

PROFORMA FOR FURNISHING DETAILS OF WAKFS **PROPERTIES UNDER SECTION 22-A(1)(C)** OF THE REGISTRATION ACT, 1908 FOR PROHIBITION

Sl.No.	Name of the District	Name of the Mandal	Name of the Village / Town	Survey No. & Sub-Division No. (if any)	Town Survey No. (If applicable)	House No. (if applicable)	Extent	Name of the Institution / Waqf.	Sl. No. (in District entry) in Gazette Notification along with Gazette No. And date of Nofication under Wakf Act, 1995.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

**CHIEF EXECUTIVE OFFICER,
TELANGANA STATE WAKF BOARD**